

Dep & Re R
Room 302

Practitioner's Dock t No. HMN 2 0019

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

☒ In re application of: Klaus Becker et al.
Application No.: 10/ 009,931 Group No. Unknown
Filed: November 13, 2001 Examiner: Unknown
For: METHOD FOR CLEANING DRAINS FOR FATTY WASTE WATER

☐ Patent No.: _____ Issued: _____

*NOTE: Insert name(s) of inventor(s) and title also for patent. Where the refund request is with respect to a maintenance fee payment, also insert application number and filing date, and add Box M. Fee to address.

Assistant Commissioner for Patents
Washington, D.C. 20231

ATTENTION: Refund Section, Accounting Division, Office of Finance

REQUEST FOR REFUND
(37 C.F.R. § 1.28(a))

NOTE: 37 C.F.R. § 1.28(a): "(a) Refunds based on later establishment of small entity status. A refund pursuant to § 1.26, based on establishment of small entity status, of a portion of fees timely paid in full prior to establishing status as a small entity may only be obtained if an assertion under § 1.27(c) and a request for a refund of the excess amount are filed within three months of the date of the timely payment of the full fee. The three-month time period is not extendable under § 1.136. Status as a small entity is waived for any fee by the failure to establish the status prior to paying, at the time of paying, or within three months of the date of payment of, the full fee."

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

☐ deposited with the United States Postal Service in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231

37 C.F.R. § 1.8(a)

37 C.F.R. § 1.10 *

☒ with sufficient postage as first class mail.

☐ as "Express Mail Post Office to Addressee"

Mailing Label No. _____ (mandatory)

TRANSMISSION

☐ facsimile transmitted to the Patent and Trademark Office, (703) _____

Signature

Georgeen B. George

(type or print name of person certifying)

Date: 01/09/02

* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.



I. SUBMISSION OF SMALL ENTITY ASSERTION

(complete (a) or (b))

- (a) ☒ Attached is an assertion of small entity status in this application.
(b) ☐ An assertion of small entity status was filed in this application on _____

II. REFUND REQUEST

NOTE: 37 C.F.R. § 1.28(b)(1): "(b) Date of payment. (1) The three-month period for requesting a refund, pursuant to paragraph (a) of this section, starts on the date that a full fee has been paid. . ."

This request for refund is made within three months of the date the full fee was paid in this application on November 13, 2001, in the amount of \$ 860.00

NOTE: If the fee was changed to a deposit account, a request for refund must be filed within two months of the date of the change to the deposit account.

III. FEE PAID FOR WHICH REFUND REQUESTED

- | | AMOUNT OF
REFUND
REQUESTED |
|--|----------------------------------|
| <input checked="" type="checkbox"/> Filing fee | \$ <u>430.00</u> |
| <input type="checkbox"/> Surcharge for filing the basic filing fee on a date later than the filing date of the application
(37 C.F.R. § 1.16(e) or 37 C.F.R. § 1.16(l)). | \$ _____ |
| or | |
| <input type="checkbox"/> Surcharge for filing the oath or declaration on a date later than the filing date of the application
(37 C.F.R. § 1.16(e)) | \$ _____ |
| <input type="checkbox"/> Surcharge for filing the basic filing fee on a date later than the filing date of the provisional application
(37 C.F.R. § 1.51(c)(1) and 37 C.F.R. § 1.16(l)) | \$ _____ |
| or | |
| <input type="checkbox"/> Surcharge for filing the cover sheet on a date later than the filing date of the provisional application
(37 C.F.R. § 1.51(c)(1) and 37 C.F.R. § 1.16(l)) | \$ _____ |
| <input type="checkbox"/> Extension of term | \$ _____ |
| <input type="checkbox"/> Issue fee | \$ _____ |
| <input type="checkbox"/> Patent maintenance fee | |
| <input type="checkbox"/> first maintenance fee | \$ _____ |
| <input type="checkbox"/> second maintenance fee | \$ _____ |
| <input type="checkbox"/> third maintenance fee | \$ _____ |
| <input type="checkbox"/> Patent maintenance fee surcharge. | |
| <input type="checkbox"/> Other | \$ _____ |

NOTE: The refund provisions of § 1.28(a), for later submitted small entity statements, apply to maintenance fees. Notice of July 30, 1984, 1046 O.G. 28-37.

TOTAL REFUND REQUESTED \$ 430.00

Request for Refund [7-9]—page 2 of 3)

FEB 01 2002

PATENT & TRADEMARK OFFICE

IV. MANNER OF REFUND

Please make refund by crediting:

- ☐ Deposit Account No. _____
- ☐ Credit card as shown on the attached credit card information authorization form PTO-2038.

WARNING: Credit card information should *not* be included on this form as it may become public.

- ☒ refunding overpayment.

Reg. No.: 33,961

Tel. No.: (216) 861-5582

Customer No.:



Signature of Practitioner

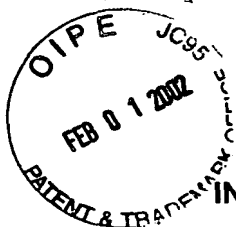
Scott A. McCollister

(type or print name of practitioner)

FAY, SHARPE, FAGAN, MINNICH & McKEE, LLP
1100 Superior Avenue, Seventh Floor

P.O. Address

Cleveland, OH 44114-2518



PCF
JGTD RECEIVED/PTO 01 FEB 2002

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF : Klaus Becker et al.
FOR : **METHOD FOR CLEANING
DRAINS FOR FATTY WASTE
WATER**
SERIAL NO. : 10/009,931
FILED : November 13, 2001
ATTORNEY DOCKET NO. : HMN 2 0019

Cleveland, Ohio 44114-2518
January 8, 2002

**37 C.F.R. 1.27 VERIFIED STATEMENT CLAIMING
STATUS AS A SMALL BUSINESS ENTITY**

Commissioner of Patents and Trademarks
Washington, D.C. 20231

Dear Sir:

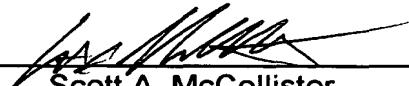
Rights under contract or law have been assigned in the above-identified application to BBT Bergedorfer Biotechnik GmbH (assignee). The undersigned attorney declares that the assignee qualifies as a small business concern as defined in § 1.9(d), in that the above listed assignee, together with all of its affiliates combined had fewer than five hundred (500) employees including full-time, part-time, and temporary employees on the average during each pay period of the previous fiscal year of the assignee and its affiliates; and,

That the exclusive rights to the invention have been conveyed to and remain with the small business concern or, if the rights are not exclusive, that all other rights belong to small entities as defined in 37 C.F.R. § 1.9 and that the assignee has not assigned, granted, conveyed, or licensed, and is under no obligation under contract or law to assign, grant, convey, or license

any rights in the invention to any person who could not be classified as an independent inventor under 37 C.F.R. 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business under 37 C.F.R. 1.9(d) or a nonprofit organization under 37 C.F.R. 1.9(e).

The Applicant and undersigned acknowledge that they have a duty to file a notification of any change in status of this application and any patent(s) issuing therefrom which change results in a loss of entitlement to small entity status prior to, or at the time of paying, the earlier of the issue fee or any maintenance fee due after the date on which the small entity status is no longer appropriate.

The undersigned declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful and false statements may jeopardize the validity of the application or any patent issuing thereon.

By: 
Scott A. McCollister
Attorney for Applicant

Date: January 8, 2002